

AMENDED IN SENATE APRIL 26, 2010

AMENDED IN SENATE APRIL 5, 2010

**SENATE BILL**

**No. 1390**

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**Introduced by Senator Corbett**

February 19, 2010

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An act to amend Section 4076.5 of the Business and Professions Code, relating to pharmacy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1390, as amended, Corbett. Prescription drug labels.

Existing law, the Pharmacy Law, provides for the licensure and regulation of the practice of pharmacy by the California State Board of Pharmacy. Existing law requires the board to promulgate regulations that require, on or before January 1, 2011, a standardized, patient-centered, prescription drug label on all prescription medication dispensed to patients in California.

This bill would authorize the board to exempt from these regulatory requirements certain prescriptions dispensed to patients in a ~~long-term~~ health-care facility, *as defined*.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 4076.5 of the Business and Professions
- 2 Code is amended to read:
- 3 4076.5. (a) The board shall promulgate regulations that require,
- 4 on or before January 1, 2011, a standardized, patient-centered,

1 prescription drug label on all prescription medicine dispensed to  
2 patients in California.

3 (b) To ensure maximum public comment, the board shall hold  
4 public meetings statewide that are separate from its normally  
5 scheduled hearings in order to seek information from groups  
6 representing consumers, seniors, pharmacists or the practice of  
7 pharmacy, other health care professionals, and other interested  
8 parties.

9 (c) When developing the requirements for prescription drug  
10 labels, the board shall consider all of the following factors:

11 (1) Medical literacy research that points to increased  
12 understandability of labels.

13 (2) Improved directions for use.

14 (3) Improved font types and sizes.

15 (4) Placement of information that is patient-centered.

16 (5) The needs of patients with limited English proficiency.

17 (6) The needs of senior citizens.

18 (7) Technology requirements necessary to implement the  
19 standards.

20 (d) The board may exempt from the requirements of regulations  
21 promulgated pursuant to subdivision (a) prescriptions dispensed  
22 to a patient in a ~~long-term health care facility~~ *health facility, as*  
23 *defined in Section 1250 of the Health and Safety Code*, if the  
24 prescriptions are administered by a licensed health care  
25 professional. Prescriptions dispensed to a patient in a ~~long-term~~  
26 ~~health care~~ *health facility* that will not be administered by a  
27 licensed health care professional or that are provided to the patient  
28 upon discharge from the facility shall be subject to the requirements  
29 of this section and the associated regulations. ~~As used in this~~  
30 ~~subdivision, “long-term health care facility” has the meaning as~~  
31 ~~defined in Section 1418 of the Health and Safety Code. Nothing~~  
32 *in this subdivision shall alter or diminish existing statutory and*  
33 *regulatory informed consent, patients’ rights, or pharmaceutical*  
34 *labeling and storage requirements, including, but not limited to,*  
35 *the requirements of Section 1418.9 of the Health and Safety Code*  
36 *or Section 72357, 72527, or 72528 of Title 22 of the California*  
37 *Code of Regulations.*

38 (e) (1) On or before January 1, 2010, the board shall report to  
39 the Legislature on its progress under this section as of the time of  
40 the report.

- 1     (2) On or before January 1, 2013, the board shall report to the
- 2     Legislature the status of implementation of the prescription drug
- 3     label requirements adopted pursuant to this section.

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